

AMENDMENT UNDER 37 C.F.R. § 1.111
Appln. No.: 10/563,618

Attorney Docket No.: Q92481

AMENDMENTS TO THE DRAWINGS

FIGS. 25 and 26 are labeled as "Related Art"

Attached: 2 Replacement Sheets.

REMARKS

Claims 1-6, 9, 10, 28, 29, 32-37, 40, 41, 59, 60, 63-68, 71, 72, 75, 90 and 91 are all the claims pending in the application. In this Amendment, Applicant amends claims 32, 34, 36, 20 and 59. No new matter is added.

Objection to the drawings

The Examiner objects to FIGS. 25 and 26 as not being designated by a legend such as “Prior Art”.

In view of the replacements FIGS. 25 and 26 submitted herewith this Amendment labeled “Related Art”, Applicant respectfully requests the Examiner to withdraw the objection to the drawings.

Claim rejection under 35 U.S.C. § 101

Claims 32-37, 40-41 and 59-60 are rejected under 35 U.S.C. § 101, as allegedly being directed to non-statutory subject matter. Applicant traverses the rejection as follows.

In view of the amendments to claims 32, 34, 36, 20 and 59 submitted herewith, Applicant respectfully requests the Examiner to withdraw the 35 U.S.C. § 101 rejection of these claims. The amendments are at least supported by page 24, lines 6-16 of the original specification.

Claim rejection under 35 U.S.C. § 102(a)

Claims 1-2, 28, 32, 33, 59, 63, 64 and 90 are rejected under 35 U.S.C. § 102(a) as allegedly being anticipated by instant application’s allegedly disclosed prior art (hereinafter IADP). Applicant traverses the rejection as follows.

Claim 1

Claim 1 recites, *inter alia*, “obtaining a reduced image signal by performing a low frequency generation process on the moving picture signal in spatial hierarchical division; and obtaining a reduced temporally hierarchized signal by temporally hierarchizing the reduced image signal.” Applicant respectfully submits that IADP does not teach or suggest these features of claim 1 for at least the following reasons.

According to claim 1, a reduced image signal is obtained by performing a low frequency generation process on the moving picture signal in spatial hierarchical division. In this regard, the target of the spatial hierarchical division in claim 1 is “a moving picture signal.” In contrast, in FIG. 25, step 208, the spatial hierarchical division does not divide a moving picture signal, but processes a temporally divided signal obtained by temporally hierarchically dividing a moving picture signal. This is shown in page 3, lines 2-4 of the instant specification, which describes that “ $A(j)[0]$ and $E[i](0 < j < m)$ ” are subband divided in spatial direction and not the moving picture signal as recited in claim 1. That is, step 208 of FIG. 25 discloses processing a signal that is temporally hierarchically divided, and does not teach or suggest obtaining a reduced image signal by performing a low frequency generation process on the moving picture signal in spatial hierarchical division.

Furthermore, according to claim 1, a reduced temporally hierarchized signal is obtained by temporally hierarchizing the reduced image signal. However, in step 208, IADP discloses that a signal obtained by temporally hierarchically dividing a moving picture is subjected to spatial hierarchical division. Therefore, these features of claim 1 are not anticipated by IADP.

In view of the above, Applicant respectfully submits that claim 1 is patentable over the cited IADP.

Claims 32 and 63

Claims 32 and 63 recite features analogous to claim 1, and therefore are patentable for similar reasons claim 1 is patentable.

Claims 2, 33, and 64

Claims 2, 33 and 64 depend from one of claims 1, 32 and 63, and therefore these claims are also patentable at least by virtue of their dependency and the additional features recited therein.

Claim 28

Claim 28 recites, *inter alia*, “obtaining an upper hierarchy moving picture signal by spatially hierarchically dividing the moving picture signal” and “obtaining an upper hierarchy time filtering signal by filtering the upper hierarchy moving picture signal in the temporal direction.” Applicant respectfully submits that IADP does not teach or suggest these features of claim 1 for at least the following reasons.

For instance, as described above with regard to claim 1, step 208 of FIG. 25 discloses processing a temporally hierarchically divided signal, and further discloses that the temporally hierarchically divided signal is subjected to **spatial hierarchical division**. However, this does not teach or suggest “obtaining an upper hierarchy moving picture signal by spatially hierarchically dividing the moving picture signal” and “obtaining an upper hierarchy time filtering signal by filtering the upper hierarchy moving picture signal in the temporal direction.”

In view of the above, Applicant respectfully submits that claim 28 is patentable over the cited IADP.

Claims 59 and 90

Claims 59 and 90 recite features analogous to claim 28, and therefore are patentable for similar reasons claim 28 is patentable.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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